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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/471,810	12/17/1999	DAVID D. BOHN	10991692-1	7982

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EXAMINER

LESPERANCE, JEAN E

ART UNIT PAPER NUMBER

2674

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/471,810

Applicant(s)

BOHN, DAVID D.

Examiner

Jean E. Lesperance

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-31 and 57-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 61-69 is/are allowed.
- 6) ☒ Claim(s) 25-31 and 57-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. The amendment filed August 19, 2005 is entered and claims 26-31 and 57-69 are pending.
2. The indicated allowability of claims 27-31 and 57-60 is withdrawn in view of the newly discovered reference(s) to Bobry, Anderson and Dow. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 27 and 57 are rejected under 35 U.S.C. 102(b) as being unpatentable over US Patent # 5,595,445 by Bobry.

Regarding claim 27, Bobry teaches an electronic scanning device (an electronic scanning apparatus (abstract)), comprising

an image sensor for scanning an image (the rollers 20 in combination with the encoder devices provide an enabling function for the apparatus 10 in which movement of the apparatus across the document is sensed and a signal can be generated to initiate the scanning of an image on the document (column 3, lines 41-45));

a display that displays a first part of a scanned version of said image (display, Fig.1 (16) where the for part of the document is displayed) ; and

a navigation sensor that detects relative movement between said scanning device and a surface in close proximity to said navigation sensor whereby said relative movement changes said display to displaying a second part of said scanned version of said image (the encoder 56 will also detect backward movement of the apparatus 10. Thus, the encoder 56 output signals can be used for not only controlling scanning during a sweeping operation, but also to compensate for scan head deviations or changes caused by pivoting and other non-linear movement (column 6, lines 27-32) where as the electronic scanner is moving on the document, a second part of the document is displayed based on the movement.

Regarding claim 57, Bobry teaches method of previewing a scanned image (an electronic scanning apparatus (abstract)), said method comprising:

displaying a first part of a scanned image (display, Fig.1 (16) where the for part of the document is displayed);

displaying a second part of said scanned image in response to relative movement between a scanning device and a surface in close proximity to said scanning device ((display, Fig.1 (16) where as the is moved to a second part of the document, a second part is displayed based on the movement of the electronic scanner (12).

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 5595445 ("Bobry") in view of US Patent # 6,137,479 ("Olsen et al.").

Regarding claim 28, Bobry teaches the electronic scanning device (an electronic scanning apparatus (abstract)) wherein said relative movement (The motion encoder 56 detects translation (Figure 2). Accordingly, the prior art teaches all the claimed limitation as recited in claim 28 with the exception of providing a cursor displayed on said display.

However, Olsen et al. teach a computer processor 48 processes the motion sensor signals to control the position of the cursor on the display screen 26 (column 4, lines 7-9).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the cursor displayed as taught by Olsen et al. in the electronic scanner disclosed by Bobry because this would provide a combined computer mouse and a portable programmable computer.

5. Claims 29, 31, 58 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 5595445 ("Bobry") in view of US Patent # 5,757,394 ("Anderson et al.").

Regarding claim 29, Bobry teaches the electronic scanning device (an electronic scanning apparatus (abstract)), where a second part of the image can be seen by using the rollers (20). The prior art teaches all the claimed limitation as recited in claim 29 with the exception of providing said image is scrolled in relation to said first part of said scanned version of said image.

However, Anderson et al. teach a scroll button 32 of Fig.2B which can scroll in relation to first part of the scanned image.

Thus, it would be obvious to a person of ordinary skill in the art at the time the invention was made to utilize scroll button 32 in the electronic scanner disclosed by Bobry because this would provide the electronic scanner with a feature of seeing another portion of the image using scrolling.

Regarding claim 31, Anderson et al. teach said second part of said scanned version of said image is displaced in two directions in relation to said first pad of said scanned version of said image (a scroll button 32 of Fig.2B which can scroll in two direction in relation to first part of the scanned image to display a second part.

Regarding claim 58, Bobry teaches the electronic scanning device (an electronic scanning apparatus (abstract)), where a second part of the image can be seen by using the rollers (20). The prior art teaches all the claimed limitation as recited in claim 29 with the exception of providing said image is scrolled in relation to said first part of said scanned version of said image.

However, Anderson et al. teach a scroll button 32 of Fig.2B which can scroll in relation to first part of the scanned image.

Thus, it would be obvious to a person of ordinary skill in the art at the time the invention was made to utilize scroll button 32 in the electronic scanner disclosed by Bobry because this would provide the electronic scanner with a feature of seeing another portion of the image using scrolling.

Regarding claim 60, Anderson et al. teach said second part of said scanned version of said image is displaced in two directions in relation to said first part of said scanned version of said image (a scroll button 32 of Fig.2B which can scroll in two direction in relation to first part of the scanned image to display a second part.

6. Claims 30 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 5595445 ("Bobry") in view of US Patent # 6,301,020 ("Dow et al.").

Regarding claim 30, Bobry teaches the electronic scanning device (an electronic scanning apparatus (abstract)), wherein a second part of the image can be seen by using the rollers (20). The prior art teaches all the claimed limitation as recited in claim 30 with the exception of providing said image is panned in relation to said first part of said scanned version of said image.

However, Dow et al. teach navigation buttons 46 and 48 are used for panning when in zoom mode (column 7, lines 41 and 42).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize buttons 46 and 48 as taught by Dow et al. in the electronic scanner disclosed by Bobry because this would provide a more flexible and user friendly procedure for correctly operate an appliance.

Regarding claim 59, Bobry teaches the electronic scanning device (an electronic scanning apparatus (abstract)), wherein a second part of the image can be seen by using the rollers (20). The prior art teaches all the claimed limitation as recited in claim 30 with the exception of providing said image is panned in relation to said first part of said scanned version of said image.

However, Dow et al. teach navigation buttons 46 and 48 are used for panning when in zoom mode (column 7, lines 41 and 42).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize buttons 46 and 48 as taught by Dow et al. in the electronic scanner disclosed by Bobry because this would provide a more flexible and user friendly procedure for correctly operate an appliance.

Allowable Subject Matter

7. Claims 61-69 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter: the claimed invention is directed to an electronic scanning device.

Independent claim 61 identifies a uniquely distinct feature "a navigation sensor located on a second side of said electronic device, said second side being opposite said first side, wherein said navigation sensor detect movement of a part of a user relative to said navigation sensor located in close proximity to said navigation sensor, and wherein an image displayed on said display altered in response to said movement of said part of said user relative to said navigation device".

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Lesperance whose telephone number is (571) 272-7692. The examiner can normally be reached on from Monday to Friday between 10:00AM and 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard, can be reached on (571) 272-7603.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA, Sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Jean Lesperance



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Date 9/2/2005



PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER